

Report to **Planning Committee**
Date **07 July 2021**
By **Director of Planning and Environment**
Local Authority **South Downs National Park Authority**
Application **SDNP/21/01967/FUL & SDNP/21/01968/LIS**
Numbers
Applicant **Ms Vicky Mudford**
Application **Replacement of 1 no. meeting room window to the south elevation.**
Address **Village Hall East Dean Lane East Dean Chichester West Sussex PO18 0JG**

Recommendation: That the applications be Refused for the reasons set out in paragraph 10 of this report.

Executive Summary

Reason for Committee referral: Red Card Submitted – Cllr Henry Potter: There is an exceptional level of public interest. Officer recommends REFUSAL

The appearance of double-glazing is inherently alien to the character of listed buildings. The introduction of a double-glazed window within the historic core of the building would detract from the integrity character and appearance of the listed building by reason of its appearance and construction compromising the special interest of the building.

The fenestration is an important physical and visual component of the village hall. The proposed window would result in less than substantial harm to its significance as a listed building and its setting within the East Dean Conservation Area. Given the public benefit associated with the works can be achieved in alternative ways the benefits of replacing the window is limited and is not sufficient to outweigh that harm.

1.0 Site Description

1.1 The village hall is an historic building dating to the 18th century which was constructed by the Duke of Richmond as the village school. In 2004 permission was granted to add a single storey rear pitch roof extension providing a larger kitchen, store room wc's and a shower. The rear extension is subservient to the historic 'school' building in both character and appearance and reads as a modern addition.

1.2 The listing reads:

SU 9013-9113 EAST DEAN EAST DEAN VILLAGE

31/130 The Village Hall

28.01.1986

II

Dated 1787 and built by the Duke of Richmond as the village school. T-shaped building. One storey. Two windows. Faced with plaster. Tiled roof. Casement windows of two tiers of three lights.

1.2 The site is situated in an elevated position to the west of East Dean Lane to the north of the village of East Dean. Open countryside lays to the north and west of the site with the gardens of Post Office Row forming the southern boundary.

1.3 The window, which is the subject of this application, is the principal feature of the south elevation of the original school building.

1.4 The site is within the East Dean Conservation Area in the rural area within The South Downs National Park

2.0 Proposal

2.1 The proposal seeks planning permission and listed building consent to replace the existing window serving the meeting room. The window is single glazed, multi-paned window constructed in timber. The applications propose the replacement of the existing window with one of a similar design and appearance but introducing 12mm Slimlite double-glazed glazing units set in 44mm ovolo profile flush timber casement frame. All other windows within the main hall (the listed building) are single glazed.

3.0 Relevant Planning History

04/01150/FUL - Single storey rear pitch roof extension, new boundary wall and relocate entrance.
Permit 26.05.2004

04/01154/LBC - Single storey rear pitch roof extension, new boundary wall and relocate entrance.
Permit 26.05.2004

SDNP/20/03927/FUL - Replacement of 2 no. windows to the south elevation.
Refused 06.01.2021

4.0 Consultations

Parish Council Consultee

Comments awaited.

CH - Architectural Adviser

I have reviewed the revised application to replace windows at the Village Hall East Dean. I note that the only window to be replaced is in the meeting room. It is clear that the window is modern and its replacement is therefore not opposed in principle.

In general and common to many listed buildings there are many seemingly secondary features that in combination make an important contribution to the character of the building. Windows are the perfect example, often being seemingly unimportant in isolation but in combination with other historic details help to build the picture of the character of the listed building. The meeting room window may seem unimportant in this regard but its restoration to an authentic single glazed appearance would be of clear benefit to the listed building.

The key comparison here is not between the existing window and a double glazed replacement, but between the existing window and a good quality replacement window of historic proportions. When we assess works to a listed building part of the objective is to secure the replacement of inappropriate features with those that contribute to the character of the building through their authentic and characterful detailing. Windows are a good opportunity to return otherwise altered buildings to a more historic appearance.

It is a matter of fact that double glazed replacement windows cannot adequately mimic the appearance of traditional single glazed windows due to the much thicker glazing profile, in this case 12mm, compared to a single glazed profile of around 4mm for historic single glazing. This is a significant change in depth. When viewed from multiple angles the frame reveal depth will be strikingly deeper and thicker than a historically proportioned window would be. A good quality single glazed window in this location would in my view be a welcome uplift to the character of the building.

The appeal of double glazing is clear and I have much sympathy with the issues around condensation, it is an issue I see time and again in the hundreds of applications I consider each year and is common to many listed buildings. Secondary glazing systems with treated glass are highly effective at combating condensation and given the deep reveals of the existing window opening could sit comfortably behind a good quality single glazed window of historic proportions. I have observed countless systems working well within historic buildings and eliminating issues of condensation.

My concern over the thermal performance of multi pane double glazing versus secondary glazing and the lifespan of double glazing itself remains. It is a matter of public service and professional integrity that I should make the drawbacks of the proposed system clear to any applicant, especially where the proposals are to a building that is important within the local community.

Historic England are quite clear that in the case of multi paned windows such as those within the application, double glazing is less thermally efficient than secondary glazing due to the thermal cold bridging effect of the multiple frames. The other element to consider is lifespan. The effectiveness of double glazing is entirely dependent on the ability of the internal seal to maintain a vacuum or retain the inert gases. The plastic seals routinely fail due to their continuous UV exposure which dramatically reduces their effectiveness and results in the 'fogging' of the glass unit (Traditional Windows- Their care, repair and upgrading Historic England 2017).

My objection to this application remains twofold; the visual impact of the new windows as thicker, heavier units than a correctly detailed historic window. Secondly, the effectiveness of double glazing to address the stated problem of condensation and overall thermal inefficiency is demonstrably worse than a secondary glazing and treated glass solution.

5.0 Representations

5.1 11 no. representations supporting the proposal were received concerning:

- Design retains the character of the building
- Aesthetic improvement.
- Improve insulation and reduce condensation and damp.
- Improve fuel efficiency
- Provide a water tight seal.
- Ensure long term durability of the building.
- Require less maintenance going forward
- Essential to ongoing upkeep of the community asset. .

6.0 Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **South Downs Local Plan 2014-2033** and any relevant minerals and waste plans.

6.2 The development plan policies and other material considerations considered relevant to this application are set out in section 7, below.

National Park Purposes

6.3 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

6.4 If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7.0 Planning Policy

Relevant Government Planning Policy and Guidance

- 7.1 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF), updated February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.
- 7.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 refers to the general duty as respects Listed buildings and Conservation Areas. Section 66 of the Act sets the general duty as respects listed buildings in exercise of planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 requires that “special attention shall be paid to the desirability of preserving or enhancing the character of that area”.

National Planning Policy Framework (NPPF)

- 7.3 The following National Planning Policy Framework documents have been considered in the assessment of this application:
- NPPF02 - Achieving sustainable development
 - NPPF12 - Achieving well-designed places
 - NPPF - Conserving and enhancing the historic environment

Paragraphs 8, 127, 130, 172, 184, 185 and 196.

Sections 16, 66 and 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 are also relevant to these applications.

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

- 7.4 The following policies of the **South Downs Local Plan** are relevant to this application:
- Core Policy SD1 - Sustainable Development
 - Strategic Policy SD4 - Landscape Character
 - Strategic Policy SD5 - Design

- Strategic Policy SD12 - Historic Environment
- Development Management Policy SD13 - Listed Buildings
- Development Management Policy SD15 - Conservation Areas

Partnership Management Plan

7.5 The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- Partnership Management Plan Policy 1
- Partnership Management Plan Policy 9

8.0 Planning Assessment

8.1 The main issues with these applications are considered to be:

- The principle of development
- The impact of the proposed development on the character and appearance of the Listed Building and its setting within the East Dean Conservation Area and the wider South Downs National Park.

The Principle of Development

8.2 Policy SD12 of The South Downs National Park Local Plan (SDNPLP) states that development proposals will only be permitted where they conserve and enhance the historic environment, including the safeguarding of heritage assets and their setting.

8.3 Policy SD13 requires proposals to preserve and enhance the significance of the listed building while policy SD15 requires development within Conservation Areas to preserve and enhance the special architectural and historic interest, character and appearance of the conservation area.

8.4 Paragraph 184 of the National Planning Policy Framework (NPPF) states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

- 8.5 Paragraph 193 requires that great weight should be given to assets' conservation even if less than substantial' harm has been identified. Paragraph 194 states that any harm to the significance of a designated heritage asset requires clear and convincing justification.

The impact of the proposed development on the character and appearance of the Listed Building and its setting within the East Dean Conservation Area and the wider South Downs National Park

- 8.6 The main issue to consider is whether the proposed double-glazed window would preserve the special architectural or historic interest of the Grade II listed building and its setting within the East Dean Conservation Area and the wider South Downs National Park.
- 8.7 It is acknowledged that the present window serving the committee room is modern and has no historic value. However, it is single-glazed, reflecting the historic integrity of this listed building and importantly, remains consistent with the single-glazed character of all the other windows within the listed building. Its replacement with a traditional single glazed window is supported by the local planning authority
- 8.8 It is considered that single glazing is fundamental to the integrity, character and appearance of the historic building. Historic integrity refers to those materials that are relevant to the building and its character, being part of the original construction or available at the time.
- 8.9 The installation of a single double-glazed window to the historic core of the building would compromise the building's special interest and character and harm the buildings appearance. Even where the glazing can be accommodated in the frames or the windows are modern, the appearance of double-glazing is inherently alien in character of listed buildings and affects their integrity.
- 8.10 The applicant has suggested that there are many examples of the use of slim integrated glazing units (IGU's) in historic buildings permitted by the National Park Authority and has sought to discount very recent appeal decisions as not being applicable. Officers would simply reiterate that decisions not to support replacement double-glazing has been consistently supported by inspectors at appeal, irrespective of whether an appropriate frame detail can be achieved.
- 8.11 The following statements by inspectors taken from recent appeal decisions are considered equally pertinent to the consideration of these applications and reflect the expert advice obtained from the Council's Principal Conservation and Design Officer set out above. Each example highlights the unavoidable differences between a good quality single-glazed window and a similar double-glazed unit, including reflectivity, the presence of perimeter seals, which in this case would be compounded by the multi-paned nature of the window and the more robust frame construction required to support the slim IGU's :

10 '...In my judgement double glazing, even slim line glazing as proposed, would appear visually very different to a single pane of glass. This is due to the introduction of a perimeter seal between the edges of the two panes of glass and the required detail changes to the framing members of the casement and glazing bars to receive the thicker glazing units. Further, double glazing also tends to reflect light differently which in turn draws the eye to it ... these features, while seemingly slight, and would make the modern construction of the windows clearly obvious to all but the most casual of observers...'

APP/Y9507/E/13/2208915

7. '...Furthermore, the provision of double glazed units would be apparent from the double reflection. Whether the glazing would be puttied in or be beaded, the separation of the two panes of glass would be apparent and at odds with the single glazing found elsewhere within the building... the proposed windows would be significantly different to the other timber windows within the building. These differences would harmfully disrupt the cohesion of the fenestration that exists...'

APP/Y9507/Y/15/3033371

8. '...However, despite this achievement, it is the transparency of the double-glazed units, with their visible parting bead and the double register of the two panes of glass in each one that identify them as modern fixtures, critically undermining the integrity character and so special architectural interest and significance of the listed building...'

APP/B1225/E/11/2165202

- 8.12 Officers have advised the applicant that more appropriate alternatives less damaging to the historic integrity of the listed building are available and should be considered in the first instance. Examples include the use of secondary glazing (which offers a more thermally efficient solution) or the use of thermally insulated glass, which would improve the u-value over standard single glazing.
- 8.13 The use of double-glazing for the proposed window is acknowledged to contribute to lower heat losses from the building than a single-glazed window (certainly the current one) and this can be seen as a public benefit through the reduction in CO₂ emissions from the building's heating system because of a slight increase in efficiency that may result. However this benefit would be very minimal in terms of the overall contribution of the proposal on combating climate change and any such benefit would be minimised still further by the use of more thermally efficient glass, as suggested by the LPA. Therefore the weight accorded this consideration is considered to be limited and would not outweigh the harm to the significance of the listed building.
- 8.14 The introduction a replacement double-glazed window in this part of the listed building would also be at odds with the single-glazed character of all the other windows within this designated heritage asset. This inconsistency in itself is considered to be harmful to the historic integrity of the building as a listed building.

9.0 Conclusion

- 9.1 The proposed window would detract from the integrity, character and appearance of the listed building by reason of its appearance and construction. Whilst the proposal is considered to represent less than substantial harm to the significance of the listed building, the public benefits of replacing the windows is considered to be limited and is insufficient to outweigh that harm. The proposal is considered to be contrary to General Policy 9 of the SDNP Partnership Management Plan 2020-2025, the relevant National Policy and Guidance (paragraphs 184, 193, 194 and 196 the NPPF) Policies SD1, SD5, SD12 and SD13 of The South Downs Park Local Plan and the first purpose of designation of the South Downs National Park.

10 Reason for Recommendation and Conditions

It is recommended that the applications be Refused for the reasons set out below.

1. The proposed window would detract from the integrity, character and appearance of the listed building and its setting within the East Dean Conservation Area and the wider South Downs National Park by reason of its appearance and construction. Whilst the proposal is considered to represent less than substantial harm to the significance of the listed building, the public benefits of replacing the windows is considered to be limited and is insufficient to outweigh that harm. Therefore the proposal is considered to be contrary to policies SD4, SD5, SD12, SD13 and SD15 of The South Downs Local Plan, General Policy 9 of the SDNP Partnership Management Plan, the relevant National Policy and Guidance (paragraphs 8, 127, 130, 172, 184, 185 and 196 of the NPPF), and the first purpose of designation of the South Downs National Park.

11 Crime and Disorder Implications

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12 Human Rights Implications

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13 Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14 Proactive Working

- 14.1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Tim Slaney
Director of Planning
South Downs National Park Authority

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Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this
Application

SDNPA Consultees East Dean Parish Council
CDC Principal Conservation and Design Officer

Background
Documents

Appendix 1

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date Received	Status
Plans - Location Plan, Existing and Proposed Floor Plan and South Elevation	1		06.04.2021	Not Approved
Plans - Existing Meeting Room Window Details	2		06.04.2021	Not Approved
Plans - Existing Porch Window Details	3		06.04.2021	Not Approved
Plans - Proposed Meeting Room Window Details	4		06.04.2021	Not Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.